IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

OP.No. 13418 of 1999(V)

PETITIONERS:
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1. **M.V. JOHN, S/O. VARGHESE, AGED 49 YEARS,**
   RESIDING AT MANNALIL VEEDU, ATHANI, KUSUMAGIRI.P.O.,
   KAKKANAD, ERNAKULAM-30.

2. **RITA POULOSE, W/O. POULOSE, AGED 45 YEARS,**
   RESIDING AT NARRIKULANKARA, MUTTINAKAM, VARAPUZHA.P.O.,
   VARAPUZHA, PARAVOOR TALUK, ERNAKULAM.

BY ADV. SRI.A.X.VARGHESE.

RESPONDENTS/RESPONDENTS:
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1. **REVENUE DIVISIONAL OFFICER,**
   REVENUE DIVISIONAL OFFICE,
   FORT KOCHI.

2. **TAHSILDAR, KANAYANNOOR TALUK,**
   KAKKANAD, ERNAKULAM.

3. **DISTRICT COLLECTOR, ERNAKULAM.**

4. **SUB INSPECTOR OF POLICE,**
   THRIKKAKARA, ERNAKULAM.

5. **J.Y. JOSEPH, S/O. YOHANNAN,**
   AGED ABOUT 48 YEARS,
   JUDAPARAMBIL HOUSE, ATHANI,
   KAKKANAD,
   ERNAKULAM - 30.

6. **V.K. THAMBI, S/O. KRISHNAN NAIR, NELANGAD HOUSE,**
   ATHANI, KAKKANAD, ERNAKULAM - 30.

O.P. NO. 13418/1999:

***ADDL.R7. K.V. RAMACHANDRAN, S/O. VELAYUDHAN,**
KEERELLYMALA HOUSE,
KAKKANAD, ATHANI,
KUSUMAGIRI.P.O - 682 030.

***IMPLEADED AS PER ORDER DATED 26/06/2000**
ON C.M.P. NO. 29064/2000.

BY GOVERNMENT PLEADER SRI. K.V. MANOJKUMAR.
ADV. SRI.SHAJI P.CHALY.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P. NO. 13418/1999:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE DOCUMENT DTD. 07/07/82 SHOWING PURCHASE OF THE SAID EXTENT.

EXT.P.2: COPY OF THE PATTA BEARING NO. 1199, DTD. 04/09/92.

EXT.P.3: COPY OF THE POSSESSION CERTIFICATE WAS ALSO GRANTED BY THE R.2. DTD. 05/05/98.

EXT.P.4: COPY OF THE APPLICATION DTD. 08/12/84.

EXT.P.5: COPY OF THE REPORT ISSUED BY THE R.2.

EXT.P.6: COPY OF THE FILED REPORT ISSUED BY THE R.2. DTD. 20/01/97.

EXT.P.7: COPY OF THE REVENUE RECORD ISSUED BY THE R.2. DTD. 20/01/97.

EXT.P.8: COPY OF THE COMPLAINT DTD. 25/07/99 GIVEN TO THE CITY POLICE COMMISSIONER.

EXT.P.9: COPY OF THE REPRESENTATION DTD. 30/07/99.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

O.P. NO.13418 OF 1999

Dated 20th June, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "To issue a writ of mandamus directing the 1st to 3rd respondents to grant registry to the 1st and 2nd petitioners as per the provision of the Land Assignment Act.
>
> (ii) Issue a writ of mandamus directing the 1st to 3rd respondents to cancel the assignment that has been granted to the 5th and 6th respondents."

In view of the stand taken in the statement filed by the 2nd respondent, in case the petitioners are still aggrieved, the remedy open to them is to pursue their grievance before the Commissioner, Land Revenue. In the event of the said authority being approached within two months from today, the matter will be duly considered with notice to the petitioners and respondents 5 to 7 and appropriate orders in accordance with law in the matter will be passed, within another four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO.13418 OF 1999

J U D G M E N T

Dated 20th June, 2007.